

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

----- X

9384-2557 Québec Inc., a Canadian corporation; :
MINEDMAP, INC., a Nevada corporation; and
SERENITY ALPHA, LLC, a Nevada limited
liability company,

1:19-CV-01994-BMC-RML

**PROPOSED ORDER FOR
WRIT OF POSSESSION OF
BITCOIN MACHINES**

Plaintiff, :
----- X

against :
----- X

NORTHWAY MINING, LLC, a New York limited liability company; MICHAEL MARANDA, an individual; MICHAEL CARTER, an individual; CSX4236 MOTORCYCLE SALVAGE, LLC, a New York limited liability company; DROR SVORAI, an individual; MINING POWER GROUP, INC., a Florida corporation; HUDSON DATA CENTER, INC, a New York Corporation,

Defendants. :
----- X

The application of Plaintiffs for an ex parte Emergency Motion for Replevin came on for hearing before The Honorable _____ on _____.

The Court finds that plaintiff has established the probable validity of its claim to possession of the following property as more particularly described in the excel spreadsheet incorporated in this Order by this reference.

There is probable cause to believe the bitcoin machines or some part thereof is located at the following private place: 2 Flint Mine Road Coxsackie, New York 12051, which include unmarked garages and a building and office.

The Court also finds that defendants gained possession of the property described above, which was entrusted to Defendants for the sole purpose of performing hosting services, by taking such property from plaintiff by means other than by false or fraudulent representation, or pretense.

IT IS ORDERED THAT:

- A. The Clerk of this Court shall issue a writ of possession as provided in CPLR 7102, pursuant to Rule 64, directing the Marshall to seize such property and retain custody of it as is provided by CPLR 7102.
- B. The writ shall issue upon plaintiff's filing of a written undertaking, as required by CPLR 7102(e), in the amount of \$_____.
- C. The Clerk of this Court shall attach a copy of this order and a copy of Plaintiffs' undertaking to the writ.
- D. The Marshall may enter the following private place to take possession of the property or some part thereof located at the following private place: the premises at 2 Flint Mine Road Coxsackie, New York 12051, which include unmarked garages and a building and office. The Marshall may break in or use force to enter the premises at 2 Flint Mine Road Coxsackie, New York 12051 if Defendants do not allow entry. In addition, representatives of Plaintiffs may accompany the Marshall to identify the bitcoin machines list in the excel spreadsheet.
- E. Defendants Northway Mining, LLC, its agents, affiliates, assigns, et al., shall transfer possession of the property described herein to the Plaintiffs.
- F. The foregoing shall be stayed pending Defendants SHOWING CAUSE within seven (7) days demonstrating what property interest, if any, they have in the bitcoin machines and the documents granting property interest in the bitcoin machines.

NOTICE TO THE DEFENDANTS: Failure to comply with any order of the Court to turn over possession of such property to plaintiff may subject you to being held in contempt of court.

April ___, 2019

The Honorable Brian M. Cogan, United
States District Court Judge